

THE WEEKLY PORTAGE SENTINEL.

JAMES W. SOMERVILLE, PROPRIETOR.

THE UNION—IT MUST BE PRESERVED.

OFFICE IN PHOENIX BLOCK THIRD STORY

NEW SERIES.—VOL. 5, NO. 43.

RAVENNA, THURSDAY, JUNE 9, 1859.

WHOLE NUMBER 581

Poetical.

From the Springfield Republican.

Over the River.

BY HANCOCK A. W. PRIEST.

Over the river they beckon to me—
Loved ones who've crossed to the further side!
The gleam of their snowy robes I see,
But their voices are drowned in the rushing tide.
There's one with ripples of sunny gold,
And eyes, the reflection of heaven's own blue;
He crossed in twilight, grey and cold,
And the pale mist hid him from mortal view.
We saw not the angels who met him there;
The gate of the city we could not see;
Over the river, over the river,
My brother stands waiting to welcome me!

Over the river the boatman pale
Carried another—the household pet;
Her brown curls, waved in the gentle gale—
Darling Minnie! I see her yet.
She crossed on her bosom her dimpled hands,
And fearfully entered the plumed bark;
We watched it glide from the silver sands,
And all our soulings grew strangely dark.
We know she is safe on the further side;
Where all the ransomed and angelic;
Over the river, the mystic river,
My childhood's idol is waiting for me.

For none return from these quiet shores,
Who cross with the boatman cold and pale;
We hear the gleam of the golden oars,
And catch a glimpse of the snowy sail—
And lo! they have passed from our yearning hearts;
They cross the stream, and are gone for aye.
We may not under the veil part,
That hides from our vision the gates of day;
We only know that their burials no more
May sail with us o'er life's stormy sea;
Yet somewhere, I know, on the unseen shore,
They wait, and beckon, and wait for me.

And I wait, and think, when the sun's gold
Is flushing river and hill and shore,
I shall one day stand by the water cold,
And let for the sound of the boatman's oar;
I shall watch for a gleam of the flapping sail;
I shall hear the boat as it glides the strand;
I shall pass from sight with the boatman pale
To the better shore of the spirit land;
I shall know the loved who have gone before,
And joyfully greet with the meeting be;
When over the river, the peaceful river,
The Angel of Death shall carry me.

Miscellaneous.

How Weeds are Produced.

Professor Buckman, of England, has recently made some careful investigations as to the amount of weeds contained in seeds sold as clean, and we will state a few of the results obtained, as they can not fail, we think, to interest our readers. The Professor found "in a pint of clover seed 76,000 weed seeds; in a pint of corn grass seed, 12,000; in broad clover 39,440; and in two pints of Dutch clover, severally, 25,560 and 70,400 weed seeds. Supposing these samples to be sound, here were seeds enough to stock the land for many years. The farmer often goes to the cheapest market and gets weeds for corn, and so pays exceedingly dear for what he considers a cheap bargain."

If this be true in relation to English farming, how much more so must it be in America, when it is well known much less pains are taken in preparing grain for market, as well as in the selection of seed and the general cultivation of the soil. In purchasing seed grain, turnip seed, grasses, etc., farmers often display a want of judgment and ordinary prudence, by selecting such articles as are cheap, or rather low priced, for that is not really cheap which is not genuine; and we can conceive no greater pest in the agricultural neighborhood, than "a cheap seed store," in the but too common acceptance of the term.

The fecundity of some weeds is truly astonishing. Professor Buckman has counted 8,000 seeds in a single plant of black mustard, and in a specimen of charlock, 4,000 seeds. The common stinking camomile produces 46,000; and the burdock, 29,000 seeds; and the seed of a single plant of the common dock produced 1,700 little ducks.

The Doctor Outwitted.

When Dr. Dodge, Eclectic Physician, was lecturing through this state on the laws of health, and particularly on the evils of tea and coffee, he happened to meet, one morning, at the breakfast table, a witty son of Erin, of the better class. Conversation turned on the doctor's favorite subject; he addressed our Irish friend, as follows:

"Perhaps you think that I would be unable to convince you of the deleterious effects of tea and coffee?"

"I don't know," said Erin, "but I'd like to be there when you do it!"

"Well," said the doctor, "if I convince you that they are injurious to your health, will you abstain from their use?"

"Sure and I will, sir."

"How often do you use coffee and tea?" asked the doctor.

"Morning and night, sir."

"Well," said the doctor, "do you ever experience a slight dizziness of the brain on going to bed?"

"I do; indeed, I do," replied Erin.

"And a sharp pain through the temples, in and about the eyes, in the morning?"

"Troth I do, sir."

"Well," said the doctor, with an air of confidence and assurance in his manner, "that is the tea and coffee."

"Is it, indeed! Faith and I always thought it was the whisky I drank."

The company roared with laughter, and the doctor quietly retired. He was beaten.—*Delta.*

Too bad to be guessed.—A schoolmaster prepares the following:—What irregular verb, if conjugated in the first person of three tenses, will define the spectacle of boys indulging in a certain game? See, see, seen! (See-saw scene!)

The Old Village Minister.

Many a reader's heart will respond in almost tearful sympathy, to the emotions under which this beautiful picture of the "Old Village Minister" and the Sabbath Association of other days must have been sketched:

In an eastern paper we read a line or two, the other day—the brief announcement of a death. It was in little type; it was without note or comment; only the death of the old village minister. And so, the gray-haired man who ministered at the altar, is dead; whose feet, as they walked on Zion's hill, were very beautiful in our eyes. How well do we remember, when the storm came up, and the sun was hidden, and cloud called out to cloud, that we wished "the minister" would come, for surely no harm could enter the dwelling that he blessed! We used to forget about the falling sparrows, but then we had faith in him, and many a time did we wonder and doubt whether he ever could die like other men; and whether he would not be waited away, like the prophet of old in a chariot of fire.

Then, they had not thrown away the old deacon and got one that was new; a sleek-looking juvenile deacon, with glossy black hair. The gallery was not gay with red curtains on rings, from behind which came whistles and songs. Then we had St. Martin's, St. Thomas and Meser.

Shall we ever hear Denmark and Corinth again? Sweetly rose Dundee's wild warble in those long-gone days; Old Hundred, and Wells, and Peterboro—how grand they were when the breath of the great congregation went up together, and the voices of matron and maiden were blended.

How distinctly the picture rises in memory; the plain old church and the people singing before the Lord. The minister "read for their instruction" every Sabbath morning, and prayed for the lambs of the flock and for them that were feeble and old; that God would have them all in his good keeping, guide them in green pastures, and lead them beside the still waters, and gather them all in the fold at the last. How much know they used to be sprinkled about them in June—time's snows on the locks of the old. They tell us there is less of it now; that the children whose feet swung clear of the floor, are the men and women to-day; and the voice of the elder is stilled, and the prayers that he uttered are ended. They have removed the old square pulpit, as high as a predecessor against the wall; the swallow's nest of a pulpit, that hung there beneath a flower-shaped bell that Linnaeus never numbered nor named.

We are sorry that the old square look-out between heaven and earth is removed, for it was for years among the mysteries of childhood, where there might be in it—ever an angel, and where the minister went when we could not see him. Often had we stood at the foot of the stairs that led up to the mystery; but only once did we ever venture to ascend them. Judge of our disappointment, that there was nothing of gold there; no glories that we had read of in the Apocryphal; for we fancied there were; there was a rough, bare floor, an uncushioned bench, an old worn Bible, and a little pile of Sunday School books in a corner.

And it was thence, from the midst of such a place, those words of eloquence had come; that charmed, and thrilled and awed us then; that charm, and thrill, and awe in memory yet. We ascended the little platform, and standing upon tiptoe, looked over the high breast work upon the empty pews; there was something very grand about it, we thought, that almost made us breatheless, and stealing down we left the sacred place; more sacred to us than any we have since seen, save the spot where the minister has wearied and slept.

The members of the old congregation have gone up to loftier courts, and we shall see them no more. The grandmothers, in sober black, that came tottering in with their white handkerchiefs smoothly folded and laid upon their arms; the fair-browed girls, that sang the alto and the treble; the children, with the springs of caraway and dill; the deacon, whose head blossomed like an almond tree, hard by the pulpit door; the old woman, that in winter time brought the tin foot-stoves for seclusion; the little paper fans that waved, when days were summer, like so many little wings about the church, as if the old minister had a family of cherubim for audience; the old dogology they used to sing last in the afternoon; the trembling benediction, like the blessing of a patriarch, they received; these we shall never see and here again they were.

No longer, in Sabbath noons, do they sit upon the grass beneath the old poplars, and talk in tones subdued, while taking their frugal meal; no longer do they linger among the old, gray gravestones of "the burying ground" that is since a "cemetery," and contemplate the stone-willows that never put forth a leaf; for the times have changed, and there is but one sermon a day, and those who brought their dinners of old, have set down the most of them, to the feast of the Lamb, where the tree of life, the true tree of heaven, life is blossoming forever.

The deaf who sat on the pulpit stairs in those old times, can hear the waving of a seraph's wing to-day, for the "daughters of music" have been lifted from the dust, wherein they were lying; the old blind man, whose doubtful feet young eyes did guide, lives now in morning light; and old black Jonah, that stole softly in, and set humbly down in a pew beside the door, had been

made white at last, and bidden to come up higher.

We think it ought to be set down upon a map somewhere, that the old church was very near the house not made with hands—only the graveyard's breadth removed.—We think it ought somewhere to be written, "The house that they builded of old—let it remain forever. Give to time the silencing of the wall they have hallowed; let the wind end the songs the dead sinners began, and the rains gently fall on its echoless threshold."

Another Traveler.

John G. Saxe has found his fourth traveler, and a celebrated character, too. In his letter to the Post he says:

"I wrote you a few weeks ago, about several sorts of travelers, and suggested that the subject was a very large one—large enough, indeed, to form the staple of a good sized volume. I've not time to write the book at present, but I must give you a sketch, at least, of another traveler—one whom I often fall in with, and always fall out with—an intolerably selfish person—who, I regret to say, is a woman—who, I find in almost every car I enter—on every route—sitting a seat or two in front of mine, with her windows open—impervious alike to wind or weather, and bearing Boreas in his acrimonious habit, as if he were Zephyrus at her summer gambols. She is not an invalid, my dear Post,—she is not a fat woman, and so disposed, like Falstaff, to 'continual dissolution and thaw'—no, she is simply a devotee to a pet theory on the subject of ventilation. Having learned that our ancestors were somewhat careless, and, indeed, rather ignorant touching the properties of oxygen and carbon they were wont to breathe—whereby for scientific reasons, they ought to have died, (though they did not,) at an early period of their existence—and being herself thoroughly read up in this most vital matter, she goes forth in pursuit of fresh air, at all hazards of herself and others. I don't think, however, she is in any special danger. The woman is, beyond all her sex, fearfully and wonderfully made." She seems always battling with congenial tendency to asphyxia or spontaneous combustion, I don't know which. Whether anything could cool her into permanently comfortable frigidity, is a doubt. At any rate, there she sits—or rather there she sits last night:

"Mistake! I see her now,
With the terrible northwester
A blooming on her brow!"

It was the fresh, chill wind of the prairie at midnight. Weary with many miles of travel, and heavy with long watching, I at last fell asleep. I awoke at daybreak from a wretched torpor that was more the work of Boreas than of newspapers, and discovered that I was nearly speechless with an influenza. The woman was gone; the window was still open, and a damp gale was rushing upon myself and companion at the rate of a thousand yards a minute! I do not approve of profane swearing—I regard the practice as an ungentlemanly and immoral. I did not swear on this occasion. At least I gave no voice to my mental malcontents; but I uttered something like an "Amen!" to the emphatic words of my traveling companion, who, on discovering that the woman's perversity has made him thoroughly sick with a cold in the head, exclaimed with such obstructed articulation as his distemper permitted: "Dod dab eddy bad or wabad! (any man or woman) who leads a widow! (leaves a window) 'oped od such a dight as die!"

Beauty.

The philosophers will never agree in the definition of beauty, though every one knows what it is. Burke was beautifully sublime on the "sublime and beautiful"; but the world is little the wiser for his speculations. Whether beauty really exists in the objects which is called beautiful, or whether the beauty is "all in your eye," as the phrase is—that is to say, exists only in the mind of the observer—has never been definitely settled, and perhaps never will be. It is not impossible that the whole truth in the matter comprehended in both theories—the beauty is partly in the object, and partly in the mind that gives it recognition. This much is true, at least, that while two persons shall both agree that a particular thing has beauty, one of them shall see much more than the other, according as his taste or imagination shall be better. Of beauty in person, some writers have said:—"There is none to be found after a fortnight's intimate acquaintance, except beauty of expression merely, and even that depends on association." The dogma is sometimes too strong to be wholly true, and yet the truth doubtless lies within it. Fortunately he who has a ready discernment of beauty in nature and art—in the world of external objects and the world of internal relations.

Beautiful Thought.

Our brains are seventy year clocks. The Angel of Life winds them up once for all, then closes the case and gives the key into the hands of the Angel of the Resurrection. Tic-tac! tic-tac! go the wheels of thought; our will cannot stop them; they cannot stop themselves; sleep cannot stop them; madness only makes them go faster; death can only break into the case, and seizing the over-awing pendulum which we call the heart, silence at last the clinking of the terrible escapement who have carried so long beneath our wrinkled foreheads.—O. W. Holmes.

Peace Like a River.

"Away among the Alleghanies, there is a spring so small that a single ox in a summer day could drain it dry. It steals its unobtrusive way among the hills, till it spreads out in the beautiful Ohio. Thence it stretches away a thousand miles, leaving on its banks cities, villages and cultivated farms, and bearing on its bosom more than a thousand steamboats." This I have culled somewhere; I know not where nor when. Yet with the bubbling fountain in my eye, and roaring waterfall in my ear, I say, "Beautiful representation of a Christian's peace.—Peace as a river!" Like a river in the commencement, trickling from some fissure in the heart, singing its own song as it dropped from leaf to leaf, from ledge to ledge—now gathering itself up in a little pool, saying to its joyous waters, "here we rest," anon rushing on again to fulfill its purpose, and gain its parent sea.

Like a river in its progress, ever widening and deepening from the "ankle" to the "knees," from the knees to the "loins," from the loins to the "waters" to swim in, a river that "cannot be passed over," receiving new tributaries on the right and left, sweeping away as it rolls on its healthful stream, the dead and dying remains of past affections, and former lusts, and bearing on its bosom a thousand newly launched hopes.

Like a river in its influence—holly, healthy, generating, causing a wide expanse of "living green" to spread out on either side, making even the desert of the soul "rejoice and blossom as the rose."

Like a river in its changes—when the warm sun of righteousness pours its effulgent rays on the heart that has experienced the rigors of a spiritual winter, and melts the cold snows and breaks the ice-bound streams; or when the showers of grace fall on the heart's hill-top, then a blessed fullness pervades all its course, many a "crescent" through which it pours its sanctifying stream.

Like a river in its termination—rolling into and mingling with the shoreless, blessed sea of perfect peace, where undulating waves never roll in strife or break in death. Long ere the great sea is reached, the river of peace meets the great "trial wave," as it rolls itself inland, as if to hasten the hour of union, and give the redeemed soul a blessed sense, a foretaste of eternal felicity and future joy.

"There the glorious land will be unto a place of broad rivers and streams, wherein shall go no galley, with sails, neither shall gallant ships pass through."—Christian Evangelist.

Torture of the Widows.

In the interior of New Caledonia, which is east of Vancouver's Island and north of the Columbia, among the tribes called "Taw-waities," who are also Babines, and also among other tribes in their neighborhood, the custom prevails of burning the bodies, with circumstances of peculiar barbarity, to the widows of the deceased. The dead body of the husband is laid naked upon a large heap of resinous wood; his wife is then placed upon the body, and covered over with a skin; the pile is then lighted, and the poor woman is compelled to remain until she is nearly suffocated, when she is allowed to descend as best she can through the smoke and flames. No sooner, however, does she reach the ground, than she is expected to prevent the body from becoming distorted by the action of the fire on the muscles and sinews; and whenever such an event takes place, she must, with bare hands, restore the burning corpse to its proper position; her person being the whole time exposed to the scorching effects of the intense heat. Should she fail in the due performance of this indispensable rite, from weakness or the intensity of her pain, she is held up by some one until the body is consumed. A continual singing and beating of drums is kept up throughout the ceremony, which draws her. Afterwards she must collect the unconsumed pieces of bone and ashes, and put them into a bag made for the purpose, which she has to carry on her back for three years; remaining for the time a slave to her husband's relations, and being neither allowed to wash nor comb herself for the whole time, so that she soon becomes a most disgusting object. At the expiration of three years, a feast is given by her tormentors, who invite all the friends and relations of her and themselves. At the commencement they deposit with great ceremony the remains of the burnt dead in a box, which they affix to the top of a high pole. The widow is then stripped naked, and smeared from head to foot with oil, over which one of the bystanders throws a quantity of sawn-down, covering her entire person. She is then obliged to dance with the others. After all this is over she is free to marry again, if she have the inclination, and courage enough to venture on a second risk or being roasted alive and the subsequent horrors.

Complete in Two Volumes.

The King of Prussia once sent to an old-doctor, Col. Malachowski, who was brave but poor, a small portfolio, bound like a book, in which were deposited five hundred crowns. Some time afterwards he met the officer, and said to him, "Ah, well, how did you like the new work which I sent you?"

"Excessively, sir," replied the colonel; "I read it with such interest that I expect the second volume with impatience."

The King smiled, and when the officer's birthday arrived, he presented him with another portfolio, similar in every respect to the first, but with these words engraved upon it: "This book is complete in two volumes."

LAWS OF OHIO.

PUBLISHED BY AUTHORITY.

AN ACT

To prohibit the carrying or wearing of Concealed Weapons.

Section 1. Be it enacted by the General Assembly of the State of Ohio, That whoever shall carry a weapon or weapons concealed on or about his person, such as a pistol, bowie-knife, dirk, or any other dangerous weapon, shall be deemed guilty of misdemeanor, and on conviction for the first offense shall be fined not exceeding two hundred dollars, or imprisoned in the county jail not more than thirty days; and for the second offense, not exceeding five hundred dollars, or imprisoned in the county jail not more than three months, or both, at the discretion of the court.

Sec. 2. If it shall be proved to the jury, from the testimony on the trial of any case presented under the first section of this act, that the accused was, at the time of carrying any of the weapon or weapons aforesaid, engaged in the pursuit of any lawful business, calling, or employment, and that the circumstances in which he was placed at the time aforesaid were such as to justify a prudent man in carrying the weapon or weapon aforesaid for the defense of his person, property or family, the jury shall acquit the accused.

Sec. 3. This act to take effect and be in force from and after the first day of April next.

WILLIAM B. WOODS,
Speaker of the House of Representatives,
MARTIN WELKER,
President of the Senate.

March 18, 1859.

AN ACT

Amendatory to an Act, entitled "An act to provide for the organization of Cities and Incorporated Villages," passed May 3, 1852.

Section 1. Be it enacted by the General Assembly of the State of Ohio, That original section sixty-three, of an act entitled an act to provide for the organization of cities and incorporated villages, passed May 3, A. D. 1852, be amended as to read as follows: Sec. 63. The city council shall have the care, supervision, and control of all public highways, bridges, streets, alleys, public squares, and commons, within the city, and shall cause the same to be kept open, and in repair, and free from nuisances. No street or alley, which shall hereafter be dedicated to public use by the proprietor of ground in any city, shall be deemed a public street or alley, or be under the care or control of the city council, unless the same shall be accepted, and confirmed by an ordinance, specially passed for such purpose; they shall have the power to prescribe by ordinance the width of the tires of all wagons, carts, drays, and other vehicles, used in the transportation of persons or articles from one part of the city to another, or in the transportation of coal, wood, stone, lumber, or iron, into the city; to establish stands for hackney coaches, cabs, and omnibuses, and to enforce the observance and use thereof, and to fix the rates and prices for the transportation of persons and property in such coaches, cabs and omnibuses, from one part of the city to another.

Sec. 2. That original section sixty-three of the act to which this amendatory act is added, be and the same is hereby repealed, and this act shall take effect and be in force from and after its passage.

WILLIAM B. WOODS,
Speaker of the House of Representatives,
MARTIN WELKER,
President of the Senate.

March 18, 1859.

AN ACT

To provide for locating, establishing and constructing ditches, drains and water-courses.

Section 1. Be it enacted by the General Assembly of the State of Ohio, That the county commissioners of any county shall have power, at any regular session, whenever, in their opinion, the same is demanded by or will be conducive to the public health, convenience or welfare, to cause to be established, located and constructed, as hereinafter provided, any ditch, drain or water-course within such county.

Sec. 2. That before the county commissioners of any county shall take any steps towards locating or establishing any ditch, drain or water-course, there shall be filed with the county auditor a petition from one or more persons owning lands adjacent to the line of such proposed ditch, drain or water-course, setting forth the necessity of the same, with a description of its proposed starting point, route and terminus, and shall, at the same time, file a bond with good and sufficient sureties to the acceptance of the county auditor conditioned to pay all expenses incurred, in case the commissioners shall refuse to grant the prayer of the petition, and it shall be the duty of the county auditor, or immediately thereafter to place a correct copy of said petition in the hands of the county surveyor or a competent engineer, who shall thereupon, taking with him the necessary assistance, proceed to make an accurate survey of the route of such proposed ditch, drain or water-course, and on the completion thereof, shall return a plat or plat and profile of the same to said county auditor, and shall also set forth in his return a description of the proposed route, its availability and necessity, with a description of each separate tract of land through which the same is proposed to be located, how it will be affected thereby, and its situation and level as compared with that of adjoining lands, together with such other facts as he may deem material. It shall be the duty of the county auditor, immediately on receipt of report being filed, to cause notice in writing to be given to the owner, or one of the owners of each tract of land along the route of such proposed ditch, drain or water-course, and of the time of the session of the county commissioners at which the same will be heard, which notice shall be served at least ten days prior to said session, and an affidavit of said service filed with the county auditor; and in case any such owner is not a resident of the county, or should any party or parties in interest die during the pendency of said proceeding, such death shall not work an abatement of such proceeding, but the county commissioners on being notified thereof, shall make such order as they may deem proper for giving notice to the person or persons succeeding to the right of such deceased party or parties, and notice of the pendency and prayer of said petition and the time of hearing the same shall be given to such owner or persons, by publication for

two consecutive weeks in some newspaper published or of general circulation in said county.

Sec. 3. That any person or persons claiming compensation for lands appropriated for the purpose of constructing any ditch, drain or water-course under the provisions of this act, shall make his, her or their application in writing, therefor to the county commissioners, on or before the third day of the session at which the petition has been set for hearing, and on failure to make such application, shall be deemed and held to have waived, his, her or their right to such compensation.

Sec. 4. That said county commissioners, at the session set for the hearing of said petition, shall, if they find the requirements of the second section of this act to have been complied with, proceed to hear and determine said petition; and if they deem it necessary, they shall cause a survey to be made of such ditch, drain or water-course to be necessary, and that the same is demanded by or will be conducive to the public health, convenience or welfare, and no application shall have been made for compensation as provided in the third section of this act, they shall proceed to locate and establish said ditch, drain or water-course on the route specified in the plat and return of said county surveyor or engineer. But if any applicant or applicants for compensation as aforesaid, shall have been made, further proceedings by the county commissioners shall be adjourned till their next regular session; and the county auditor shall forthwith certify to the probate judge of said county a copy or copies of said application or applications, together with a description of the property sought to be located, and appropriated, as contained in the plat or report of the county surveyor or engineers; which shall be forthwith docketed by said probate judge, styling the applicant or applicants plaintiff or plaintiffs, and the county commissioners defendant; and such proceedings shall be conducted as had to assess and determine the compensation of such claimant or claimants, as are authorized and required by the act entitled "an act to provide for compensation to the owners of private property appropriated to the use of corporations," passed April 30, 1852, and the acts amendatory thereof and supplementary thereto, so far as the same may be applicable; and the compensation so found and assessed in favor of said claimant or claimants shall be certified by the probate judge to the county auditor and paid out of the county treasury, from the general fund or remain deposited therein for the use of such claimant or claimants; and said county commissioners shall, at the next regular session after such compensation shall have been assessed and paid or deposited as aforesaid, proceed to locate and establish such ditch, drain or water-course as hereinbefore provided.

Sec. 5. That said county commissioners, whenever they shall have established any such ditch, drain or water-course, shall divide the same into suitable sections, not less than the number of owners of lands through which the same may be located, and shall also prescribe the time within which the work upon such sections shall be completed.

Sec. 6. That the county auditor shall cause notice to be given of the time and place of letting, and of the kind and amount of work to be done upon said sections, and the time fixed by the county commissioners for its completion, by publication for its completion, in said county, and shall let the work upon said sections respectively to the lowest bidder therefor; and the person or persons taking such work at such letting, shall, on the completion thereof to the satisfaction of the county commissioners, be paid for such work out of the county treasury, in the order of the county auditor; provided, that if any person or persons to whom any portion of said work shall be let as aforesaid, shall fail to perform said work, the same shall be re-let by the county auditor, in the manner hereinbefore provided.

Sec. 7. That the county auditor shall keep a full and complete record of all proceedings had in each case under this act, and shall cause the same to be filed in the office of the county auditor, and the same shall be a part of the records of the county auditor, and shall be subject to the inspection of all persons having an interest in the same.

Sec. 8. That the auditor and surveyor or engineers shall be allowed such fees for services rendered under this act, as the county commissioners shall, in each case, deem reasonable and allow; and all other fees and costs accruing under this act shall be the same as are provided by law for like services in other cases, and all costs and expenses of construction, fees and compensation for property appropriated, which shall accrue and be assessed and be determined under this act shall be paid out of the county treasury, out of the general fund on the order of the county auditor, provided that no part of the same, except the compensation for property appropriated, shall be paid out of the county treasury till the same shall have been revised and corrected as provided in the next section of this act.

Sec. 9. That the county commissioners shall make an equitable apportionment of the costs, expenses, costs of construction, fees and compensation for property appropriated, which shall accrue, and be assessed and determined under this act, among the owners of the land benefited by the location and construction of such ditch, drain or water-course, in proportion to the benefit to each of them through, along the line or in the vicinity of whose lands the same may be located and constructed respectively; and the same shall be levied upon the lands of the owners so benefited, in said proportions, and collected in the same manner as other taxes are levied and collected for county purposes.

Sec. 10. That the act entitled "an act authorizing the trustees of townships to establish water-courses and locate ditches in certain cases," passed May 1, 1854, and the act amendatory thereof, passed February 24, 1853, on the same subject, are hereby repealed; provided, that no proceedings had or commenced under any law repealed by this act shall be affected by such repeal.

Sec. 11. This act to take effect from and after its passage.

WILLIAM B. WOODS,
Speaker of the House of Representatives,
MARTIN WELKER,
President of the Senate.

March 24, 1859.

AN ACT

To appropriate the proceeds of the sale of Old Arms, heretofore collected, to the purchase of a Site, and the erection of the State Arsenal thereon.

Section 1. Be it enacted by the General Assembly of the State of Ohio, That the proceeds of sales of old arms and equipments, heretofore realized under the provisions of a heretofore joint resolution relative to collection and sale of public arms," passed April 17,

1857, be applied to the purchase of a site for the state arsenal and the erection thereon of a suitable building for the care and safe keeping of the public arms, pursuant to the provisions of an act to authorize the building of an arsenal for the state of Ohio, passed April 18, 1857; provided, that said site shall be purchased and said building completed by the appropriations already made for that purpose.

Sec. 2. This act shall take effect from its passage.

WILLIAM B. WOODS,
Speaker of the House of Representatives,
MARTIN WELKER,
President of the Senate.

March 24, 1859.

AN ACT

To amend an act "To authorize the Incorporation of Mutual Insurance Companies," passed April 14, 1857.

Section 1. Be it enacted by the General Assembly of the State of Ohio, That the 4th section of an act "to authorize the incorporation of mutual insurance companies," passed April 14, 1857, be so amended as to read as follows: That every person who may desire to become a member of such company by effecting an insurance therein, shall make application in writing, naming the property sought to be insured: and before receiving a policy of insurance for the same, shall make and deliver a promissory note, payable to such company in such sum as the board of directors shall determine, subject to such conditions as the same, and also pay such an amount in money not exceeding fifty per cent., as shall be determined by said board, to pay the incidental expenses of such company, and to put such company in funds as required by the 14th section of said act; and to keep up the same as it may be drawn out for losses and expenses; and at the expiration of the time of insurance, the said note, or such part of the same as shall remain unpaid after deducting all losses and expenses accruing during said term, shall be relinquished and given up to the maker thereof.

Sec. 2. That the 4th section of said act be and the same is hereby repealed.

Sec. 3. This act to be in force from and after its passage.

S. W. GILSON,
Speaker pro tem. of the House of Reps.,
MARTIN WELKER,
President of the Senate.

March 25, 1859.

AN ACT

Providing for Enclosing Railroads by Fences and Gate Guards.

Section 1. Be it enacted by the General Assembly of the State of Ohio, That every railroad company or other party having the control or management of a railroad, the whole or a part of which shall be located within this state, shall, and is hereby required, within two years after the passage of this act, or within two years after commencing to run cars thereon for the transportation of passengers or freight, to construct and maintain good and sufficient fences on both sides of such road, or such part thereof as shall be in running order and located within this state, and also to make and maintain a sufficient number of suitable crossings for the accommodation of the public, and of persons